31-1944

NEW GRAND JURY BEGINS SESSIONS

Age-Herald
Birmingham, Ala,

Jefferson County's Grand Jury for the Summer term went into action Monday with three Negroes as members of the inquisitorial body, believed by many experienced court attaches as a record.

Sumpter Lea, III, was named foreman of the group, which was given a routine charge by Circuit Judge John C. Morrow. Mr. Lea is an employe of the Tennessee Coal, Iron & Railroad Company.

Among the 66 cases docketed for investigation are those of Billy Kilgore nad Bobby Pitts, two teen-age youngsters charged with having beaten and robbed Ingram Blanding, reporter and rewrite man on the editorial staff of The Birmingham Age-Herald. 7-11-44

Records in the office of Robert McAdory, circuit solicitor, showed the members of the Grand Jury were:

Arthur F. Smart, letter carrier; J. C. Gilmore, employe at the Terminal Station, and George W. Hudson, teacher, all Negroes and all of Birmingham.

Others on the Grand Jury, all white, include:

Benjamin E. Lundsford, telephone company employe; George Acton, Jr., railway mail clerk; George W. Focht, railway mail clerk; Alfred Clisby, express company employe; Chester Ellis, T. C. I. employe; Mack E. Miller, hat store employe; Carl J. Acton, Birmingham Electric Company employe; Lum H. Coupland, Beco employe; George E. Clayton, letter carrier; H. W. Grady Thrasher, letter carrier, all of Birmingham, and Perry Drake, miner, of Flattop; D. Frank Truck, farmer, Pinson; Robert F. Millican, plant guard, Tarrant; George W. Martin, machinist, Lewisburg, and Mr. Lea.

Jury are Arthur F. Smart, letter carrier; J. C. Gilmore, Terminal Station employe, and George W. Hudson, a teacher, all of Birmingham.

Sumpter Lea, III, a T. C. I. employe, was designated as foreman. Other members of the Grand Jury and their occupations are Benjamin E. Lunsford, manager for the telephone company; George C. Acton, Jr., Charles W. Focht and Alfred Clisby, railway mail clerks; Mack E. Miller, Wormser Hat Store manager; Carl J. Acton, Birmingham Electric Company employe; Lum H. Coupland, trainman; George E Clayton, letter carrier, all of Birmingham. 7-10-44

Chester Ellis, Wylam, T. C. I. employe; Perry Drake, Maben, miner; D. Frank Truck, Pinson, farmer; Robert F. Millican, Tarrant, plant guard; George Martin, Lewisburg, machinist, and H. W. Grady Trasher, Fairview, letter carrier.

Among the 66 cases scheduled for investigation by the Grand Jury are those of the Billy Kilgore and Bobby Potts, charged with the beating and robbing of Ingram Blanding, member of The Age-Herald editorial staff. Deputy Solicitor Burgin Hawkins said the remaining cases on the docket were of a routine nature.

Three Negroes Sitting On Grand Jury Here; Record Is Established

Birmingham, Ala News
7-18-44

Establishing, perhaps, a record, the Jefferson County Grand Jury, was organized Monday with three Negroes to participate in the deliberations.

On one ocasion there have been two Negroes on the Grand Jury, and on several occasions at least one. But the present Grand Jury is believed by court officials to be the first to have as many as three.

The Grand Jury was charged by Judge John C. Morrow, who said that he merely instructed the inquisitorial body along routine lines.

The three Negroes on the Grand Jury are Arthur F. Smart, letter carrier; J. C. Gilmore, Terminal Station employe, and George W. Hudson, a teacher, all of Birmingham.

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C. W. Rice Named New Grand Jury

The Whip—Miami, 7-14,
8-26-44

HOUSTON — C. W. Rice, editor of the Negro Labor News, was named to serve on the August term grand jury by Judge Langston G. King, Monday morning.

E. E. Hall, lumberman, of 2416 Prospect, was elected foreman of the new grand jury, with W. C. Swain of Goose Creek as secretary and C. W. Rice, as sergeant-at-arms.

Fernado Salas of 1505 Ruth, jeweler, is the representative named to the current grand jury.

Inclusion of a Latin-American member followed a case of several weeks ago in which Attorney Percy Foreman sought unsuccessfully to have an indictment quashed against a Latin-American client, on the grounds that the indicting grand jury had not contained a Latin-American member.

OTHER MEMBERS ARE:

Fisher D. Adams, 1959 Portsmouth; J. J. Hill, Highlands; Georg W. McLean, Jr., La Porte; V. T. Mahon, 1224 Barkdull; Hyman Hart, 2312 Bolsover; W. L. Goldston, 5 Brairwood; J. R. Brown, Tomball, and C. C. Crawford, 9222 Humble Road. 8-26-44

The new grand jury set another precedent when it called before it W. N. Finnegan, Jr., chairman of the precedent grand jury, to work with it in an assuring the continuity of investigations undertaken by the May term grand jury.

BARKOFF JURY CHARGE FAILS

Defender—Chicago, Ill.
4-16-44

NEW ORLEANS. — Declaring that he saw no discrimination in the selecting of the Barkoff jury, Judge Fred W. Oser, in criminal district court, this week overruled a motion to dismiss a murder indictment against three 17-year-old youths, Robert Green, John Dorsey and Marion Miller. Miller took no part in the proceedings; only Green and Dorsey being defendants.

Attorneys Edwin I. Mahoney and George Graham introduced the motion to quash charges that the Orleans Parish Jury Commissioners "systematically, designedly, intentionally and fraudulently" excluded Negroes from the general jury venire from which the grand jury was selected.

Throughout the entire investigations of apparent discrimination more than 1,000 persons, members of the 1300 who were included in the general jury venire were summoned by Attorneys Mahoney and Graham, for questioning and examination. The examinations extended over a period of weeks. 4-15-44

In rendering his decision Judge Oser stated that investigation revealed that more than nine per cent of the names in the general jury venire were those of Negroes, and that since the recent decisions by the United States Supreme Court jury commissioners have been making an effort to place names of qualified Negroes in the jury wheels.

Negro Serves On Fulton Jury

Daily World—Atlanta, Ga.,
10-11-44

Something out of the ordinary happened in the Fulton Superior Court Monday of this week when the first Negro in many months was selected for jury service on the acceptance of the state and the counsel for the defense in the murder hearing of a Negro charged with slaying another Negro here last month.

Serving on the jury in this important case, one which involves the life of a human being, is W. J. Sewell, of West Harvard avenue, College Park, whose demeanor, conduct, intelligence and general appearance during the hearing, which began Monday, and extended into late Tuesday, has reflected a deal of credit upon his race, and which may lay the basis for the acceptance of scores of other Ngero citizens of Fulton county and other Georgia counties for jury duty during important hearings. 10-11-44

It is a well known fact that Negroes for a long number of years have been called to the Federal Courts for jury service, with scores of them serving at practically every session, but in the various Superior Courts and Criminal courts of this state seldom is a Negro accepted from a panel for duty.

Mr. Sewell is one of the influential citizens of this county and when his name was called to enter the box, he went there, and shortly after his name was called the state did not hesitate to accept him, and immediately the defense counsel sounded out "accepted by the defendant."

The court is hearing the murder charges against Robert Zimmerman, who is charged with fatally shooting with a revolver Lee Flagg last month during an affray in the Reynoldstown section of the city on Chester avenue, following a poker game. Presiding is Judge Edgar E. Pomeroy, prosecuting is assistant solicitor Ruben Garland, and counsel for the defense is Frank A. Doughman. 10-12-44

Late Tuesday the state and defense were presenting their arguments to the jury. The charge by the judge to the jury was to follow, and then the jury will retire to make up a verdict.

P. V. Professor Serves On Grand Jury

Informer—Houston, Texas
10-7-44

By ALPHA O. CRAVIN

PRAIRIE VIEW — Professor J. J. Abernethy, coordinator of E.S.M.W.T. courses as well as head of the Rehabilitation division and the GI Administration at Prairie View college, is serving his second time as one of the outstanding men on the jury panel of Waller County, Hempstead, Texas.

Prof. Abernethy, an employee at Prairie View for 24 years is the only Negro to serve on the grand jury in this county and has been one of the main men to help solve several important cases under investigation by the panel.

The investigation usually last several weeks.

Henry Coleman Gains Acquittal From Mixed Jury

Daily World—Atlanta, Ga.
10-24-44

A not guilty verdict was returned Friday in the Fulton Superior Court in favor of Henry Coleman, well known Atlantan, charged with the near fatal shooting of Will Rankin in an Auburn avenue grill on August 23.

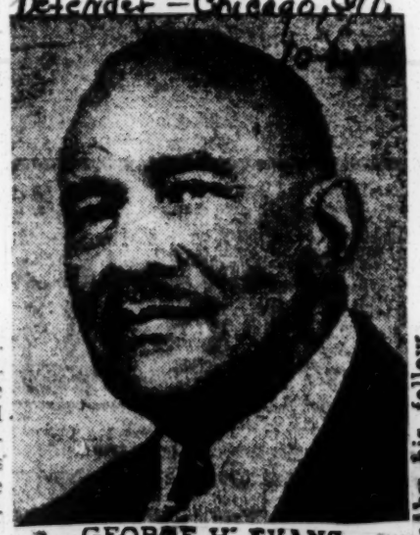
The charge against Coleman was assault with intent to murder. Returning the verdict was a jury composed of nine white men and three Negro residents. This was the first time during the past several years that many the past several years that that many Negroes were selected to serve on a jury in the Superior Court here and because of the fine manner in which the men performed their duties, it is believed by court house attaches and others in authority of affairs there, that the performance paves the way for more Negroes to be selected for jury duty by the state and defense attorneys.

Defense counsel for Coleman during the trial which attracted large numbers of interested friends of Coleman and Rankin, and who contended that his client shot in defense of his own life, was Joe Ewing. 10-24-44

Prosecuting was Assistant Solicitor J. R. Parham, and presiding was Judge Hugh M. Dorsey.

First Juror

Defender—Chicago, Ill.
10-14-44



GEORGE H. EVANS

Well known undertaker of Little Rock, Ark., who was signally honored when he was selected to serve on the jury in the Pulaski County Circuit Court and was later unanimously elected foreman by his fellow jurors. Evans was the only Negro on the jury and the first Negro to serve as foreman on the jury in a murder case since Reconstruction.

All-White Jury Foils Move for Youth's Attack Trial

Baltimore, Md.
12-30-44

Walker, 12 N. Bruce Street, accused of attacking a white woman in Carroll Park last October, was remanded to jail when he was unable to raise $5,000 bail.

The action took place on Wednesday when the only two colored jurors present forced the postponement until January 10 of the case of Lloyd Walker, 21, charged with criminal attack.

The surprise challenge by J. Howard Payne, attorney, of ten white jurors after the State had similarly challenged the only two

State Had Challenged
2 Colored Jurors
CASE POSTPONED

nesday before Judge John T. Tucker in Criminal Court. Ordinarily, there is a panel of 24 to 25 names from which to select 12 men for jury duty.

James R. Addison, chauffeur, 1109 Harlem Avenue, third colored member of the panel, was reported ill as were two white jurors leaving only twenty-one jurors, all white.

Payne Counters Challenge

When the names of Samuel H. Heath, waiter, of 546 Dolphin Street and Mitchell Gamble, collector of 506 N. Carrollton Avenue were read they were immediately challenged by State's Attorney William H. Maynard and his assistant, Bernard G. Peter.

Mr. Payne then exhausted the panel by challenging ten of the white jurors, making postponement mandatory, since only nine of the needed twelve jurors remained.

The rule that there must be colored persons on all jury panels

in Maryland was established by the Court of Appeals in 1932 during the trial of Euel Lee, alias Orphan Jones, who, despite three appeals was hanged for the murder of four members of an Eastern Shore family.

Setup Amenable to Bias

Based on population proportions in Baltimore one-sixth of all jury panels here should be colored. Although there may be colored persons on the panels there are still attempts, in some instances, to forestall their actual jury service.

Mrs. Marion Elliott who, police said, was surprised with a white man in Carroll Park, stated at Southwestern police station last month that Walker came upon them and dragged her away, while her companion fled.

She later changed her story, saying that Walker actually attacked her, rather than making an attempt.

Denies Woman's Charges

The youth was arrested two days after the alleged occurrence when police said they found a gun on him. He denied the charges of the white woman during the preliminary trial at the police station.

Brought into court for trial, Walker pleaded not guilty at his arraignment and sat silently during the half hour spent in trying to select his jury.

Friends of Walker say that he told them he had been subjected to third-degree treatment, but that he said he would rather die than confess a crime he did not commit.

ONE FOR THE BOOKS . . . NEGRO SERVES AS FOREMAN OF GRAND JURY

Members of the Kings County grand jury (Brooklyn, N. Y.), on completion of their work for the January term of court, paid tribute to Herbert T. Miller, jury foreman (at arrow). Miller, executive secretary of the Carlton Avenue YMCA, Brooklyn, was the first Negro to serve as foreman of a county grand jury.

Judge Samuel S. Leibowitz, famous criminal lawyer who defended the Alabama "Scottsboro Boys," called in a professional photographer to record for posterity the features of the 21 members of the jury which he described as the first such jury in the nation to be headed by a Negro foreman.

A photo of the group will be sent to the Congressional library, in Washington, the judge stated.

"Mr. Miller's excellent performance as foreman," Judge Leibowitz said, "will mean one more breach in the wall of prejudice." He declared that the rest of the nation might well follow Brooklyn's lead.

MRS. EFFA MANLEY of Newark, business manager of the Newark Eagles Baseball team of the Negro National League, is serving as a member of the Federal Grand Jury of the New Jersey District. She is believed to be the first Negro woman to be called for Federal Grand Jury service, though Mrs. Bertha Hill, also of Newark, wife of Assemblyman J. O. Hill, was foreman of a petit jury. Aside from her baseball activities, Mrs. Manley was one of the organizers of the Women's Volunteer Service Committee, which provides entertainment weekly for soldiers at the Fort Dix Induction Center. She is also active in the work of the Newark Defense Council, the Red Cross and the Newark Boys Club, where she has served for several years as a member of the advisory board. —Photo by Purdy

31-1944

Selected to Be Foreman Of Grand Jury in Kings

1-4-44

Herbert T. Miller

31

Kings County Judge Samuel S. Leibowitz appointed yesterday as foreman of the January (1944) Kings County grand jury Herbert T. Miller, a Negro, of 558 Decatur Street, Brooklyn. In making the appointment, Judge Leibowitz said Mr. Miller was the first Negro to serve as foreman of a grand jury in any county of the nation. 1-4-44

"Mr. Miller is a graduate of the University of Cincinnati, where he obtained the degree of Bachelor of Science," Judge Leibowitz said. "He is the executive secretary of the Carlton branch of the Young Men's Christian Association and he also served the Y. M. C. A. in Philadelphia and Pittsburgh. He has spent his life in helping others, especially in work among the youth in curbing juvenile delinquency."

Judge Leibowitz warned the twenty-one men and two women on the new grand jury that they were not to be "a rubber stamp for anybody, nor a tool for anybody." He advised them to indict "only on legal evidence which satisfies you that a crime has been committed."

H. T. Miller Heads Kings Grand Jury

World-Telegram-New York, N.Y.
1-3-44

Herbert T. Miller, 558 Decatur St., Brooklyn, today was appointed by County Judge Samuel S. Leibowitz as foreman of the January 1944 Kings County Grand Jury. Mr. Miller is the first Negro to be appointed foreman of a county grand jury in the nation's history, said Judge Leibowitz.

"He has spent his life in helping others, especially in work among the youth in curbing juvenile delinquency," Judge Leibowitz said in explaining that Mr. Miller was highly qualified by education and experience for his job. The grand jury foreman is a graduate of the University of Cincinnati and also attended Springfield College. Later he served with the YMCA in Philadelphia and Pittsburgh before being appointed executive secretary of the Y's Carlton branch in Brooklyn. 1-3-44

Judge Leibowitz appointed Irving Hamburger, 295 Ocean Pkwy., as acting foreman, and told the 21 men and two women on the grand jury to act independently and not as "rubber stamps," but admonished them to "indict only on legal evidence which satisfies you that a crime has been committed."

Negro Appointed Foreman of N. Y. Grand Jury

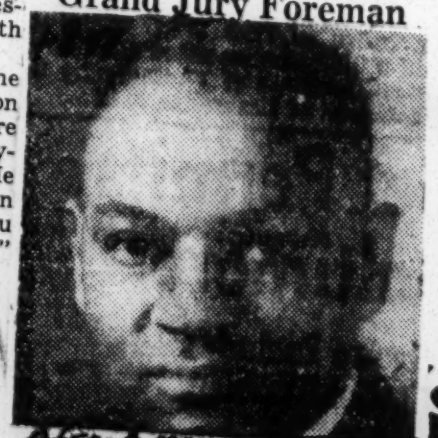
Constitution, Atlanta, Ga.
1-4-44

NEW YORK, Jan. 3.—(AP)—County Judge Samuel S. Leibowitz today appointed a Negro social worker foreman of the January Kings county grand jury with the statement that it was the first time in the nation's history a man of the Negro race had been named to head a county court grand jury.

The foreman is Herbert T. Miller, 45, of Brooklyn, executive secretary of the Carlton Branch, Y. M. C. A., and a graduate of the University of Cincinnati. 1-4-44

Veteran attaches of the court said there were instances where a Negro had been appointed foreman of a federal grand jury.

Grand Jury Foreman



Afro-American, Baltimore, Md.
1-15-44

HERBERT T. MILLER, who was appointed and sworn in Tuesday as foreman of the Kings County January grand jury in Brooklyn, N.Y., by Judge Samuel S. Leibowitz. 1-8-44

Mr. Miller, who is executive secretary of the Carlton Avenue YMCA, Brooklyn, is the first colored person ever to head a grand jury in a county within New York City. All other members of the January grand jury are white.

First N. Y. Jury Foreman Is Hard-Working Y Leader

Defender, Chicago, Ill.
1-15-44

By RAMONA LOWE
(Defender New York Bureau)

NEW YORK—The office lights burn long after regular hours these days at the Carleton Avenue C.A. office of Herbert T. Miller, executive secretary who has just earned the distinction of being the first Negro in the nation ever to be appointed foreman of county grand jury.

Named as Kings County January Grand Jury foreman by the Jewish lawyer, Judge Samuel S. Liebowitz, who once defended the Scottsboro boys in the world-publicized case, Miller is not the kind to rest on his laurels. His formula for success is "hard work" and he's an excellent demonstration of the words.

His co-workers at the 'Y' describe him as "dynamic" and Judge Liebowitz in naming him declared: "It is a privilege and an honor to appoint him. He has spent his life in helping others, and has worked to curb juvenile delinquency."

'Democracy at Work'

Miller, who is the only Negro on the grand jury of 24 members, said of his appointment: "This is democracy at work."

The 43-year-old 'Y' worker is a friendly, informal man with soft, thinning hair, penetrating dark eyes, energetic movements and chivalrous manners.

"I have been in 'Y' work since 1918," Mr. Miller explained.

"When I was a little boy in Cincinnati, I belonged to the boys groups at the Y there and it was my ambition to become a 'Y' secretary. After I graduated from the University of Cincinnati, I went right into 'Y' work.

"I think the 'Y' has given the opportunity for great growth interracially." He spoke of the democratic progress he had observed in his quarter century of social work. "There was a time when one or two cities had Negro members on their metropolitan boards. Now every city with major 'Y' work among Negroes has Negroes integrated on its metropolitan board.

"Competition between the branches was once not so fine as now. At one time they would not have been welcome in certain American cities. Now it is a policy of the 'Y' never to hold a national convention in any city where hotels will not accommodate Negro delegates.

"Salaries for Negro workers were far beneath that of white workers. That barrier is being gradually leveled.

"Interracial student work has expanded and Negro and white secretaries are coming together more and more on a common platform. I look forward to the day when branches will be interracial. I am anticipating in the not far distant future mixed staffs and memberships."

24-Hour-A-Day Job

Asked about the 'Y's' role in curbing juvenile delinquency, he remarked that the organization has served "the privileged as well as the underprivileged.

"And that is as it should be. Since the war we have thrown our doors wide open to all soldiers and have granted them all membership privileges whether they are members or not."

Mr. Miller's formula for success is "hard work, honesty, integrity and service. 'Y' work has been a 24-hour-a-day job with me."

The part of it he likes best, he confessed is raising money. "I'm seldom refused," he said. Several cities have called upon him to help raise money for membership or rehabilitation campaigns.

His rehabilitation campaigns have been especially noteworthy. In Philadelphia where he was working before he came to Brooklyn, his rehabilitation job being done on the Detroit Y.W.C.A. building. In fifteen years he has been active in 'Y' work, too. While we were in Philadelphia she served as chairman of the board of management of the Germantown Y.W.C.A. and is now on the board of management of the Brooklyn Y.W.C.A. She is also a member of the main mittees. And she is an excellent cook!" The couple have no children. Mr. Miller who was wearing a

LITTLE ROCK—Because the only Negro on the jury panel held out against conviction of another Negro, Leveat Brooks, charged with burglary and grand larceny, Judge Fulk dismissed the jury and ordered a new trial. He did this after George Evans, juror, admitted that he was the only one holding out against conviction. The judge explained that he ordered a new trial because of "pressure of a public nature." The judge questioned Evans concerning a rumor around the courtroom that he feared that he might receive harsh treatment from other Negroes if he voted to convict a member of his race. Evans denied that he was intimidated or otherwise influenced by such a rumor.

People's Voice—New York, N.Y.
10-21-44

Judge Samuel S. Liebowitz administering the oath of office to Herbert T. Miller as foreman of the January Kings County grand jury

done on the deavors," he admitted. "And she has been active in 'Y' work, too. While we were in Philadelphia she served as chairman of the board of management of the Germantown Y.W.C.A. and is now on the board of management of the Brooklyn Y.W.C.A. She is also a member of the national Y.W.C.A. committees. And she is an excellent cook!" The couple have no children. Mr. Miller who was wearing a

1-15-44

Likes Home Life

It was while he was working in fifteen years ago that he married a Detroit school teacher, now Mrs. Miller, who has been the mainstay of Mr. Miller's career since. "She has helped me in all my associations and en-

slate blue suit with a wide dark strip and richly colored paisley-patterned tie, confessed that Mrs. Miller also had a hand in selecting his wardrobe.

Although chiefly a "career man" as he puts it, Mr. Miller does have a few outside interests in Greek letter fraternities, for instance. (He is a member of Alpha Phi Alpha and Sigma Pi Phi) and sports. He likes baseball, boxing and tennis which, he admitted with a disarming smile, he plays a little. 1-15-44

The promotion of interracial amity is also a concern of his. He is a member of the Interracial Committee of the National Council of the Y.M.C.A. and is a frequent speaker at interracial gatherings whether they be forums, church gatherings, noonday luncheon clubs or evening symposiums.

Grand Jury Foreman Honored

Afro-American Baltimore, Md. 2-26-44

31

Herbert T. Miller (left), executive secretary of the Brooklyn YMCA and foreman of the Kings County Grand Jury for an extended term, accepts a membership card in the Kings County Grand Jurors' Association of New York from J. Howard Field, vice-president of that body.

SOUTHERN SAY-SO

Courier-Pittsburgh, Pa.

Race Men and Women Should Serve on Juries When Called, Regardless of Sacrifice

2-19-44

By M. S. STUART

THE DECISION of the Supreme Court a few years ago making illegal to bar Negroes from jury service in cases involving the fate of Negro litigants was hailed as a great legal victory. It was, but in most places in the South its results are proving more of a token nature than of material benefits.

Contrary to what many may think, it is not sufficient cause for invalidating a lower court decision to show merely that no Negroes were called to serve on the particular case at bar or in every case where Negroes are on trial. It must be established that it is a deliberate custom of the court officials or attaches in question not to include the names of Negroes in the lists of those from whom the jurors are to be selected. Moreover, it must be shown that there are Negroes qualified to serve, residing within the jurisdiction of the court. If then it can be proved by the records, or otherwise, that over a reasonable duration no Negroes have ever been called, then the contention that the names of Negroes had been left off by prejudice and design would in all reason be sustained. The argument that the absence of the names of colored people from the venire was due merely to mischance, and not purposeful, would fall down.

Mr. Stuart

EASILY CIRCUMVENTED

In many of the state courts in the South, the decision of the Supreme Court on this point has been accepted in a spirit of fairness and justice as intended. The names of several Negroes are placed among the prospective jurors, and several are called to serve at every court session. But even so, lawyers opposed to Negroes serving can usually find an easy way to prevent it. Rarely ever are the names of more than two people of the race proposed as jurors in any one case. Lawyers on opposing sides have the right to challenge any prospective juror for cause. The causes are many. Known prejudice, relationship, personal interest in litigants or lawyers, and expressions of partiality are only a few among them.

THESE AND OTHERS a shrewd lawyer may elicit by questioning a tentative juror. Then if not successful in excluding for cause either side may exercise one of more of the "pre-emptory challenges" allowed under the rule governing court practices. By these means any prospective Negro juror may be removed in any case.

THE DECISION MAY BE DISADVANTAGEOUS

The fact that the names of Negroes are included among those from whom jurors may be selected, or that Negroes are called to serve, whether they serve or not, is sufficient to show that there is no established custom or practice to bar them. Thus may a situation be developed in which there would be no Negroes on a jury, yet there would be no grounds for appeal and reversal of a conviction because of that fact. Before the Supreme Court made it definitely clear that a custom or practice of omitting the names of Negroes would be cause for reversing lower court convictions of them, successful appeals on such grounds were carried up in a number of cases. From this it appears that unless a sufficient number of colored jurymen to assure justice be selected in cases involving the life or liberty of Negroes, then the widely acclaimed decision may even prove disadvantageous. 2-19-44

FRUITS MAY BE LOST BY DEFAULT

More unfortunate than all this, however, is the fact that in many places very few intelligent, influential and respected Negroes are willing to make the sacrifices in lost time and inconvenience to serve even when summoned. It is nearly always easier for a Negro when called to escape serving than it is for a white man. In the first place not many court attaches concerned lose any sleep trying to compel colored men to serve on juries. When they asked to be excused, it is usually granted willingly, unless there happens to be some Negro on trial for a major crime in whose conviction the prosecution wants to make sure there will be no defect.

THERE is grave danger that the hard-won opportunity for Negroes to serve on juries may be lost or nullified by the failure of Negroes to implement it by service.

Judge Orders Photo Of Grand Jury !

The Union Cincinnati, Ohio

Brooklyn, N. Y.—Judge Samuel S. Leibowitz personally called in a professional photographer yesterday to record for posterity the features of the twenty-one members of the January Kings County Grand Jury which Judge Leibowitz described as the first such jury in the nation to be headed by a Negro foreman. 2-24-44

Photos of the jury, which was dismissed yesterday after being in session since January 4 will be sent to the Congressional Library in Washington, Judge Leibowitz said.

He prefaced his request that the jury remain on hand for the photographs with particular praise for the foreman, Herbert T. Miller, 43 years old, Executive Secretary of the Carlton Avenue Branch of the Y. M. C. A.

Mr. Miller's excellent performance as foreman, Judge Leibowitz said, will mean "one more breach in the wall of prejudice." He declared that the rest of the nation might well follow Brooklyn's lead — New York Herald Tribune. 2-24-44

PUTTING DEMOCRACY TO WORK

Age-New York, N.Y. 2-26-44

OVER in the Borough of Brooklyn, democracy was at work in fact when Herbert T. Miller, executive secretary of the Carlton Avenue Y. M. C. A., served as foreman of the January Kings County Grand Jury by appointment of Judge Samuel S. Leibowitz. A glowing testimonial, signed by the entire panel of jurors, was presented to Mr. Miller on the occasion of the discharge of the group from their duties. In the form of a letter, the testimonial said:

"We, the members of the Kings County Grand Jury for the January term, feel that we would be remiss in our duty if we were to let the occasion of our dismissal as Grand Jurors go by without manifesting our appreciation to you for the splendid manner in which you guided our deliberations.

"Especially so in these turbulent times when unfortunately there is so much racial and class discrimination, it brought home to us that regardless of race, color or creed, groups with sincerity of purpose could work together honestly, fairly and intelligently.

"We sincerely hope that your having been chosen the first member of your race to sit as foreman of the Grand Jury in the county will be the forerunner of mixed tribunals in the executive, legislative and judicial branches of our government. 2-26-44

"Accept our thanks for work well done."

The testimonial was read by the clerk in the court room presided over by Judge Leibowitz and drew forth from the jurist this statement:

"Your testimonial speaks eloquently of the sterling character and ability of Mr. Miller in the performance of his duty. What is of even greater importance is the fact that we have broken the ice in this significant manner by putting democracy to work instead of merely prattling about it."

The fact that this was putting democracy to work, and not mere lip service, is the important aspect. Coming so closely on the heels of the Bedford-Stuyvesant fiasco, this is a good omen of better things to come in Brooklyn.